

239640US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
Hirosato AMANO, et al. : EXAMINER: MAUST, T. L.
SERIAL NO: 10/608,366 :
FILED: June 30, 2004 : GROUP ART UNIT: 3751
FOR: TONER FILLING DEVICE :
AND TONER PRODUCTION
MANAGEMENT SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Restriction Requirement dated August 19, 2004, the Applicants elect with traverse the invention of Group I corresponding to Claims 1-5.

The Applicants respectfully traverse the restriction requirement based on MPEP § 803, which states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

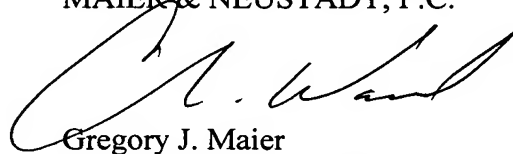
The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the Applicants respectfully traverse the outstanding restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application Serial No.: 10/608,366
Response to Restriction Requirement
dated August 19, 2004

Therefore, it is respectfully requested that the requirement to elect a single invention
be withdrawn, and that a full examination on the merits of Claims 1-10 be conducted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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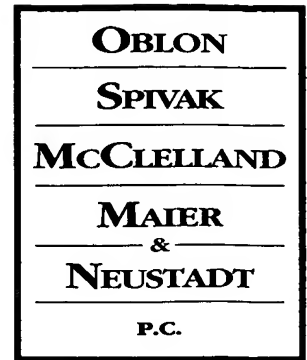
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Docket No.: 239640US2



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/608,366
Applicants: Hirosato AMANO, et al.
Filing Date: June 30, 2003
For: TONER FILLING DEVICE AND TONER
PRODUCTION MANAGEMENT SYSTEM
Group Art Unit: 3751
Examiner: MAUST, T. L.

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SIR:

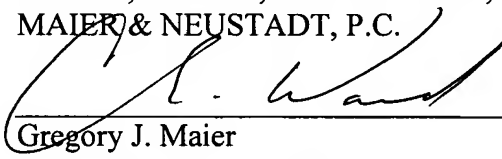
Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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